

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 22-CR-20552-GAYLES/TORRES**

MIAMI DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID RIVERA and ESTHER NUHFER,

Defendants.

**DEFENDANT DAVID RIVERA'S UNOPPOSED
MOTION TO CONTINUE ARRAIGNMENT**

Defendant, DAVID RIVERA, respectfully moves this Court to continue his arraignment for thirty (30) days and in support thereof states:

1. Mr. Rivera's arraignment in this case is currently scheduled for 10:00 a.m. on January 23, 2023.
2. Mr. Rivera has not yet retained permanent counsel. The undersigned has made only a temporary appearance.
3. Mr. Rivera has been diligently seeking permanent counsel but has not completed his search. He requests an additional thirty (30) days to do so.
4. Regarding the requested continuance, Mr. Rivera waives his right to a speedy arraignment and agrees that the additional time he is requesting, if granted, shall be excludable time under 18 U.S.C. 3161(h)(7)(A) and that the ends of justice served by the granting of the requested continuance outweigh his own best interests and those of the public in a speedy trial.

TRAILBLAZER
1200 Brickell Avenue, Penthouse 1900, Miami, Florida 33131 www.trailblazerlaw.com

5. Assistant United States Attorney Harold Schimkat, the lead prosecutor in this case, has authorized the undersigned to represent to the Court that he has no objection to this motion.

6. A proposed Order is attached as Exhibit 1.

WHEREFORE, Mr. Rivera respectfully moves this Court for a 30-day continuance of his arraignment.

Dated: January 19, 2023

Respectfully Submitted,

TRAILBLAZER

By: /s/ Jeffrey D. Feldman

Jeffrey D. Feldman / Fla. Bar No. 330302

Email: jfeldman@trailblazerlaw.com

1200 Brickell Avenue, Penthouse 1900

Miami, Florida 33131

Telephone: 305-222-7851

Facsimile: 305-760-4193

-and-

RICHARD C. KLUGH, P.A.

By: /s/ Richard C. Klugh

Richard C. Klugh / Florida Bar No. 305294

Email: rklugh@klughlaw.com

40 N.W. Third Street, Penthouse 1

Miami, Florida 33128

Telephone: 305-536-1191

Facsimile: 305-536-2170

Temporary Counsel for Defendant, David Rivera

CERTIFICATE OF CONFERENCE

The undersigned certifies that on January 19, 2023 he conferred by telephone with Assistant United States Attorney Harold Schimkat regarding this Motion, who advised that he has no objection to same and has authorized the undersigned to represent his agreement to the Court.

/s/ Jeffrey D. Feldman

Jeffrey D. Feldman

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 19, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/ Jeffrey D. Feldman

JEFFREY D. FELDMAN

SERVICE LIST

United States of America v. David Rivera and Esther Nuhfer

Case No. 22-cr-20552-GAYLES/TORRES

United States District Court, Southern District of Florida

Harold E. Schimkat, Esq.
harold.schimkat@usdoj.gov
betty.alfaraz@usdoj.gov
yallynn.marques@usdoj.gov

Joshua Paster, Esq.
joshua.paster@usdoj.gov
jasmine.wong@usdoj.gov
Marilyn.dekle@usdoj.gov

UNITED STATES ATTORNEY'S OFFICE

99 N.E. Fourth Street, 4th Floor

Miami, Florida 33132

Telephone: 305-961-9298

Facsimile: 305-530-6168

Co-Counsel for the United States of America

Evan N. Turgeon, Esq.
evan.turgeon@usdoj.gov
Counterintelligence and Export Control
Section - National Security Division
U.S. DEPARTMENT OF JUSTICE
950 Pennsylvania Avenue NW, Suite 7700
Washington, D.C. 20530
Telephone: 202-353-0176

Co-Counsel for the United States of America

Adriana Collado-Hudak, Esq.
adriana.collado-hudak@gmlaw.com

David M. Kubiliun, Esq.

david.kubiliun@gmlaw.com

alejandra.albuerne@gmlaw.com

GREENSPOON MARDER LLP

200 East Broward Blvd., Suite 1800

Fort Lauderdale, Florida 33301

Telephone: 305-789-2712

Facsimile: 305-537-3932

Co-Counsel for Defendant, Esther Nuhfer

Philip L. Reizenstein, Esq.
philip@miamicriminallaw.net
philreizenstein@protonmail.com

REIZENSTEIN & ASSOCIATES, P.A.

2828 Coral Way, Suite 540

Miami, Florida 33145

Telephone: 305-444-0755

Facsimile: 305-444-9277

Co-Counsel for Defendant, Esther Nuhfer